

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

In re: Seth Reaves,

DEBTOR

Case No. 4:22-cv-01064-TLW

**Order**

Debtor Seth Reaves filed a notice of appeal regarding a bankruptcy court order dismissing his action because he did not pay the initial filing fee. The matter now comes before the Court for review of the Report and Recommendation (Report) filed by the magistrate judge to whom this case was assigned. ECF No. 3.

In the Report magistrate judge recommends dismissing Debtor's appeal because, like in the underlying bankruptcy action, he did not pay the required filing fee. After the magistrate judge filed the Report, Debtor filed objections, stating that "this court appears to be totally confused" and that he has "[n]ever heard of this case." ECF No. 9. This matter is now ripe for decision.

In reviewing the Report, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections . . . . The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a *de novo* determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

*Wallace v. Hous. Auth. of City of Columbia*, 791 F. Supp. 137, 138 (D.S.C. 1992) (citations omitted).

In light of the standard set forth in *Wallace*, the Court has reviewed, *de novo*, the Report and the objections. After careful review of the Report and the objections, for the reasons stated by the magistrate judge, the Report is **ACCEPTED**, Debtor's objections are **OVERRULED**, and this matter is **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED.**<sup>1</sup>

*s/ Terry L. Wooten*  
Terry L. Wooten  
Senior United States District Judge

July 11, 2022  
Columbia, South Carolina

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<sup>1</sup> In light of this ruling, the remaining outstanding motion, ECF No. 5, is **DENIED**.